

Leena Varughese, M.D.
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March 4, 2014

VIA Express Mail
Clerk of Court
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Leena Varughese, M.D. v. Mount Sinai Medical Center, et al.
Civil Action No. 12-civ-8812 (CM) (JCF)

Dear Honorable Judge McMahon:

I am the plaintiff in the above-referenced matter. I would like to proceed with discovery and conduct depositions of the two witnesses Drs. Adrienne Jordan and Elizabeth Morency. These depositions have been hampered and contested by motions to quash, illnesses, Mr. Wronko's motions to be relieved as counsel, and sometimes without any explanation. These witnesses are also in fellowship jobs that last one year after commencement in late June or first week of July each year. These jobs are transitional and essentially just supervised medical practice covering further work and more exposure to the practice of Anatomic and Clinical Pathology.

Mr. McEvoy has stated that there is a stay on discovery in May 2014 based on the 1-30-2014 ruling by Magistrate Judge Francis (Docket #112) and the 2-21-2014 ruling by Your Honor on Mr. Wronko's motion to be relieved as counsel. The 2-21-2014 order allows for an extension of 80 days on all previous deadlines, which places the new deadlines for completion of discovery during first week of May 2014. The depositions of these two witnesses have been unequivocally granted by the court and I would like to obtain these depositions in the next three weeks. Dr. Jordan is represented by her own attorney, Ms. G. Brenda Coey, as well as the defendant's counsels, who have collaboratively stated and convinced themselves that there is a stay on discovery preventing deposition or discovery from proceeding (Exhibit A).

Delaying discovery until past May 2014 will limit my ability to depose the witnesses if they leave their current employment and geographic locations, and technically, the new

extensions of another 80 days will pass. I would like to complete the depositions of these very involved and key figures in my employment termination without further ado.

This brings me to my second concern, when Mr. Wronko's filed the first motion to be relieved as counsel, I spoke to numerous employment attorneys who expressed the concern of Mr. Wronko's management of my case and extensive work already completed according to Mr. Wronko's discretion as a limiting factor precluding their willingness to represent me. Therefore, it's reasonable for me to assume that it would be difficult to obtain new attorney with my limited resources and criticisms of Mr. Wronko's work. If there is in fact a stay on discovery as the defense counsel and Ms. Coey has argued, please remove the stay on discovery so that I may proceed with the case.

Thank you for your consideration on this matter.

Sincerely Yours,



Leena Varughese, M.D.

Encl.

cc: Rory McEvoy, Esq. (Via Express Mail)

EXHIBIT A

From: "G. Brenda Coey" <BCoey@bsphlaw.com>
Subject: RE: Deposition rescheduling
Date: March 4, 2014 2:08:41 PM EST
To: Leena Varughese <ivarughese@icloud.com>
Cc: "Weber, Julie L. (JLWeber@edwardswildman.com)" <JLWeber@edwardswildman.com>

Thank you for the clarification. It is my understanding, however, that the Court has stayed discovery pending notice to the Court of your decision whether to proceed pro se or retain counsel. Kindly provide a copy of the Order lifting the stay and, upon receipt of said Order, I will work with you on arranging Dr. Jordan's deposition.

-----Original Message-----

From: Leena Varughese [mailto:ivarughese@icloud.com]
Sent: Tuesday, March 04, 2014 1:51 PM
To: G. Brenda Coey
Subject: Re: Deposition rescheduling

I understand the confusion, I am proceeding pro se. I would like to complete the court granted depositions of Dr. Jordan in a timely manner.

Sent from my iPhone

On Mar 4, 2014, at 1:46 PM, "G. Brenda Coey" <BCoey@bsphlaw.com> wrote:

Respectfully, Dr. Varughese, you have not answered my question. Filing a notice of pro se appearance for the limited purpose of responding to a motion is not synonymous with a decision to proceed pro se in your claims against the hospital. Will you be proceeding pro se? Or, is it your intention to retain counsel?

-----Original Message-----

From: Leena Varughese [mailto:ivarughese@icloud.com]
Sent: Tuesday, March 04, 2014 1:39 PM
To: G. Brenda Coey
Subject: Re: Deposition rescheduling

Ms. Coey,

I was required to file a notice of appearance as pro se by the court to respond to Mr. Wronko's motion to be relieved as counsel. The notice of pro se appearance remains valid and I am proceeding with the depositions that were halted previously. Please inform me if you will produce your client for deposition.

Regards,

Dr. Varughese

On Mar 4, 2014, at 1:33 PM, G. Brenda Coey wrote:

Dr. Varughese:

Have you decided to pursue your claims against Mt. Sinai pro se?

-----Original Message-----

From: Leena Varughese [mailto:ivarughese@icloud.com]
Sent: Tuesday, March 04, 2014 12:26 PM

To: G. Brenda Coey
Subject: Deposition rescheduling

Dear Ms. Coey,

Please see attached letter.

Sincerely,

Dr. Leena Varughese

Leena Varughese, M.D.
Ph: 908-265-7536
Email: leenav@gmail.com

March 4, 2014

VIA FAX and EMAIL

G. Brenda Coey, Esq.
1300 East 9th Street, Suite 1950
Cleveland, Ohio 44114-1501
Direct: (216) 875-2071
Fax: (216) 875-1570
Email: bcoey@bsphlaw.com

Re: Varughese, L. v. Mt. Sinai Medical Center et al.
12 Civ. 8812 (CM) (JCF)

Dear Ms. Coey:

I am writing to reschedule Dr. Adrienne Jordan's deposition for the week of March 17, 2014 or March 24, 2014. Please inform me if you are willing to make available your client for approximately 3-5 hrs on one of those 10 days that is convenient for yourself and Dr. Jordan. If there is another date that is preferable for yourself during the month of March or early April, please offer the dates so that I can consider my availability. Please reply back to this email or call me back in correspondence.

Sincerely,

s/ Leena Varughese

Leena Varughese, M.D.

